

**AGENDA
ITEM
NO. 8.c**

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION
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Kate McKenna, AICP
Executive Officer

DATE: April 25, 2011

TO: Chair and Members of the Formation Commission

FROM: Kate McKenna, AICP, Executive Officer

SUBJECT: **CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS -
ACTIVITIES REPORT**

SUMMARY OF RECOMMENDATION:

This report is for information only; no action is required at this time.

EXECUTIVE OFFICER'S REPORT:

State Legislation

The California Association of Local Agency Formation Commissions (CALAFCO) has an active Legislative Committee. The Committee meets as needed to determine the need for legislation and monitor current legislation in support of our legislative purposes. CALAFCO is currently monitoring 39 bills, and actively supports five:

- AB 54 (Solorio D) *Drinking Water*;
- AB 1430 (Committee on Local Government) *The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 Omnibus Bill*, and
- SB 191, SB 192, and SB 193 (Committee on Government and Finance) *Validations*.

AB 54 would require mutual water companies to provide LAFCO with requested water delivery information and maps of their service territories. It would also authorize LAFCO to request information from mutual water companies about compliance with drinking water standards.

Public agencies are already required to provide this information. The Public Utilities Commission now requires investor-owned utilities to respond to information and map requests from LAFCO. This legislation would place similar requirements on mutual water companies, and help LAFCO to more comprehensively review water systems in Monterey County.

The other four bills are routine legislation to correct wording in the Cortese-Knox-Hertzberg Act and validate government boundaries throughout California.

CALAFCO has submitted a letter of concern regarding SB 244 (Wolk D) *Land Use: General Plan: Disadvantaged Unincorporated Communities*. This bill would require each LAFCO to study the service and infrastructure needs of disadvantaged rural communities. However, the legislation would not result in any changes to community services or facilities. Also, LAFCO has little authority or ability to implement any of the recommendations that may come from the studies required by this legislation. This legislation is opposed by the League of California Cities, the California State Association of Counties (CSAC), the Regional Council of Rural Counties, and the California Chapter of the American Planning Association.

A CALAFCO Legislative Tracking Summary is attached for the Commission's information. Details can be found on the CALAFCO website (www.calafco.org). None of the bills require action by LAFCO of Monterey County at this time.

CALAFCO Professional Development

As part of a series of courses that I am coordinating in my volunteer role as CALAFCO Deputy Executive Officer, CALAFCO University presented "*California Planning and Land Use Laws for LAFCO Staff*" on April 5 in Ventura. The course received excellent evaluations. The next course will be "*LAFCO's Role in Regional Governance: A Best Practices Workshop*" to be held in Sacramento in October.

At the CALAFCO Staff Workshop earlier this month, Senior Analyst Thom McCue moderated a session on "*Taxes, Assessments and Fees*" and I presented a training session for LAFCO Clerks. General Counsel Leslie Girard also attended the workshop in Ventura.

The 2011 Annual CALAFCO Conference will take place on August 31 to September 2 in Napa. LAFCO of Monterey County will host the 2012 Annual CALAFCO Conference at the Hyatt Regency in Monterey in October 2012.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kate McKenna", with a stylized flourish at the end.

Kate McKenna, AICP
Executive Office

CALAFCO Legislative Tracking Summary

UPDATED 1 April 2011

PRIORITY LEGISLATION

AB 54 (Solorio D) Drinking water.

Current Text: Amended: 3/29/2011

Status: 3/29/2011-From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.

Calendar: 4/6/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, SMYTH, Chair

Summary: Would specify that any corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for irrigation purposes, and any corporation organized for or engaged in the business of selling, distributing, supplying, or delivering water for domestic use shall be known as a mutual water company. This bill contains other related provisions and other existing laws.

Position

None at this time

CALAFCO Comments: Requires mutual water companies to respond to LAFCo requests for information, requires Mutuals to provide a map of boundaries to LAFCo, adds authority for LAFCo to request MSR data from mutuals and include compliance with safe drinking water standards in MSRs.

AB 912 (Gordon D) Local government: organization.

Current Text: Introduced: 2/17/2011

Status: 3/14/2011-Referred to Com. on L. GOV.

Location: 3/14/2011-A. L. GOV.

Summary: Would authorize the commission, where the commission is considering a change of organization that consists of the dissolution of a district with zero sphere of influence, to immediately order the dissolution if the dissolution was initiated by the district board, or to, within 30 days following the approval of the application by the commission, hold at least one noticed public hearing on the proposal, and order the dissolution without an election, unless a majority protest exists, as specified.

Position

None at this time

CALAFCO Comments: Allows a commission to immediately dissolve a special district with a zero SOI or to dissolve a districts after a public hearing and the lack of a majority protest.

SB 244 (Wolk D) Land use: general plan: disadvantaged unincorporated communities.

Current Text: Amended: 3/15/2011

Status: 3/25/2011-Set, first hearing. Hearing canceled at the request of author.

Calendar: 4/27/2011 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary: Would require, prior to January 1, 2014, and thereafter upon each revision of its housing element, a city or county to review and update one or more elements of its general plan, as necessary to address the presence of island, fringe, or legacy unincorporated communities, as defined, inside or near its boundaries, and would require the updated general plan to include specified information. This bill would also require the city or county planning agency, after the initial revision and update of the general plan, to review, and if necessary amend, the general plan to update the information, goals, and program of action relating to these communities therein. By adding to the duties of city and county officials, this bill would impose a state-mandated local program.

Position

None at this time

CALAFCO Comments: Amended to require LAFCo review of disadvantaged unincorporated communities. It adds a definition for disadvantaged unincorporated communities; requires LAFCo to review water, sewer and fore services to the communities in the next SOI update, places more emphasis on LAFCo recommendations on reorganizations for efficient and effective services, requires LAFCo to identify service deficiencies to these communities in MSRs, and specifically requires LAFCo to assess alternatives for efficient and affordable infrastructure and services, including consolidations, in MSRs. Bill requires LAFCo to look at communities "in or adjacent to the sphere of influence."

AUDIT LEGISLATION

AB 162 (Smyth R) Local government: financial reports.

Current Text: Introduced: 1/19/2011

Status: 2/18/2011-Referred to Com. on L. GOV.

Calendar: 4/27/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, SMYTH, Chair

Summary: Would additionally require that, if an audit of a local agency reveals certain financial irregularities, the findings be sent separately to the Controller immediately after the audit has been concluded. By increasing the duties of local officials, this bill would impose a state-mandated local program.

Position

None at this time

CALAFCO Comments: Requires disclosure to the State Controller of a variety of irregularities discovered in a local agency annual audit. May have some application for MSR updates.

AB 187 (Lara D) State Auditor: audits: high-risk local government agency audit program.

Current Text: Introduced: 1/25/2011

Status: 1/26/2011-From printer. May be heard in committee February 25.

Location: 1/25/2011-A. PRINT

Summary: Would authorize the State Auditor to establish a high-risk local government agency audit program to identify, audit, and issue reports on any local government agency, including any city, county, or special district, or any publicly created entity that the State Auditor identifies as being at high risk for the potential of waste, fraud, abuse, or mismanagement or that has major challenges associated with its economy, efficiency, or effectiveness. The bill would also authorize the State Auditor to consult with the State Controller, Attorney General, and other state agencies in identifying local government agencies that are at high risk.

Position

None at this time

CALAFCO Comments: Would allow the State Auditor to audit and issue reports on any local agency it identifies as being at high risk for waste, fraud, abuse or mismanagement.

AB 229 (Lara D) Controller: audits.

Current Text: Amended: 3/30/2011

Status: 3/30/2011-From committee chair, with author's amendments: Amend, and re-refer to Com. on B., P. & C.P. Read second time and amended.

Calendar: 4/12/2011 9 a.m. - State Capitol, Room 447 ASSEMBLY BUSINESS, PROFESSIONS AND CONSUMER PROTECTION, HAYASHI, chair

Summary: Would require audit reports be submitted to the Controller within 9 months of the end of the period audited. This bill would authorize the Controller to appoint a qualified certified public accountant to complete an audit report if it is not submitted by the local agency within the required timeframe, with associated costs to be borne by the local agency, as specified. This bill would require the audit to comply with the Government Auditing Standards issued by the Comptroller General of the United States. This bill would require the audits to be made by a certified public accountant that is licensed by the California Board of Accountancy and selected by a local agency from a directory of accountants to be published by the Controller by December 31 of each year. The Controller would be required to use specified criteria to determine those certified public accountants that are to be included in the directory.

Position

None at this time

CALAFCO Comments: Requires audits of local agencies to be sent to controller within 9 months and sets requirements for the CPA or firm which conducts the audits.

AB 253 (Smyth R) Local agencies: accounting.

Current Text: Amended: 3/15/2011

Status: 3/16/2011-Re-referred to Com. on L. GOV.

Calendar: 4/27/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, SMYTH, Chair

Summary: Would instead require the Controller to prescribe uniform accounting procedures that are applicable only to specified types of special districts, subject to these provisions. The bill would require the Controller to prescribe uniform accounting procedures for cities, subject to specified criteria, in collaboration with the Committee on City Accounting Procedures, which would be created by the bill.

Position

None at this time

CALAFCO Comments: Establishes uniform accounting practices for special districts and cities.

AB 1287 (Buchanan D) Local government: audits.

Current Text: Introduced:

Status: 3/21/2011-Referred to Com. on L. GOV.

Location: 3/21/2011-A. L. GOV.

Summary: Would require local agencies, defined to include cities, counties, a city and county, special districts, authorities, or public agencies, to comply with General Accounting Office standards for financial and compliance audits and would prohibit an independent auditor from engaging in financial compliance audits unless, within 3 years of commencing the first of the audits, and every 3 years thereafter, the auditor completes a quality control review in accordance with General Accounting Office standards.

Position

None at this time

CALAFCO Comments: Would require regular audits of all local agencies.

SB 186 (Kehoe D) The Controller.

Current Text: Amended: 3/22/2011

Status: 3/22/2011-Read second time and amended. Re-referred to Com. on APPR.

Location: 3/22/2011-S. APPR.

Summary: Would authorize the Controller to exercise discretionary authority to perform an audit or investigation of any county, city, special district, joint powers authority, or redevelopment agency, if the Controller possesses documentation that results in reason to believe that the local agency is not complying with the financial requirements in state law, grant agreements, local charters, or local ordinances. This bill would require the Controller to prepare a report of the results of the audit or investigation and to file a copy with the local legislative body.

Position

None at this time

CALAFCO Comments: Allows Controller to audit local agencies and determine fiscal viability.

SB 449 (Pavley D) Controller: local agency financial review.

Current Text: Amended: 3/30/2011

Status: 3/1/2011-Set for hearing April 6.

Calendar: 4/6/2011 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary: Would additionally authorize the Controller to conduct a preliminary review to determine the existence of a local agency financial problem, and perform an audit upon completion of that review, subject to specified criteria. This bill contains other related provisions.

Position

None at this time

CALAFCO Comments: Allows state controller to audit local agencies.

WILLIAMSON ACT LEGISLATION

AB 781 (John A. Pérez D) Preservation of lands: open-space subventions.

Current Text: Amended: 3/23/2011

Calendar: 4/27/2011 1:30 p.m. - State Capitol, Room 126 ASSEMBLY AGRICULTURE, GALGIANI, Chair

Summary: Would authorize a city, county, or city and county to accept contributions from public and private entities to offset a reduction in state subvention payments, as specified.

Position

None at this time

CALAFCO Comments: Allows a city or county to accept private contributions to offset reductions in Williamson Act funding.

AB 1265 (Nielsen R) Local government: Williamson Act.

Current Text: Introduced: 2/18/2011

Status: 3/21/2011-Referred to Coms. on L. GOV. and AGRI.

Location: 3/21/2011-A. L. GOV.

Summary: Would specify that payments under the contracts that are authorized until January 1, 2015, may be collected after January 1, 2015.

Position

None at this time

CALAFCO Comments: Defers payments until 2015.

AB 1266 (Nielsen R) Local government: Williamson Act: agricultural preserves: advisory board.

Current Text: Introduced: 2/18/2011

Status: 3/21/2011-Referred to Coms. on L. GOV. and AGRI.

Location: 3/21/2011-A. L. GOV.

Summary: Would specify matters on which the advisory board may advise the legislative body of a county or city. This bill would also state that the advisory board is not the exclusive mechanism through which the legislative body can receive advice on or address matters regarding agricultural preserves.

Position

None at this time

CALAFCO Comments: Specifies additional responsibilities for the county or city Williamson Act advisory board. May also be a placeholder for more significant modifications to the Williamson Act.

SB 436 (Kehoe D) Land use: mitigation lands: nonprofit organizations.

Current Text: Amended: 3/24/2011

Status: 3/24/2011-From committee with author's amendments. Read second time and amended. Rereferred to Com. on RLS.

Location: 3/24/2011-S. RLS.

Summary: Would authorize a state or local public agency to provide funds to a nonprofit organization to acquire land or easements that satisfy the agency's mitigation obligations, including funds that have been set aside for the long-term management of any lands or easements conveyed to a nonprofit organization if the nonprofit organization meets certain requirements. The bill would also state the findings and declarations of the Legislature with respect to the preservation of natural resources through such mitigation, and would state that it is in the best interest of the public to allow state and local public agencies and nonprofit organizations to utilize the tools and strategies they need for improving the effectiveness, cost efficiency, and durability of mitigation for California's natural resources.

Position

None at this time

CALAFCO Comments: Would allow a local agency to provide funds to a non profit to acquire land or easements to satisfy an agency's mitigation requirements. May be an important tool for LAFCo in agricultural and open space preservation.

SB 618 (Wolk D) Local government: Williamson Act: compatible uses.

Current Text: Introduced: 2/18/2011

Status: 3/9/2011-Set for hearing April 27.

Calendar: 4/27/2011 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary: Would additionally provide that the erection, construction, alteration, operation, or maintenance of renewable energy, and the operation of gas, electric, water, communication, or agricultural laborer housing are considered compatible uses within any agricultural preserve.

Position

None at this time

CALAFCO Comments: Allows renewable energy generation (wind, solar farms) as an acceptable use for Williamson Act lands.

SB 648 (Berryhill R) Local government: Williamson Act.

Current Text: Introduced: 2/18/2011

Status: 3/3/2011-Referred to Coms. on Gov. & F. and APPR.

Location: 3/3/2011-S. G. & F.

Summary: Would provide an alternative method of cancellation of a contract by a landowner for contracts that are 10 or more years old, and where the landowner has not received a lowered assessment value on the land during the previous 10 consecutive years based on the existence of a residence, including agricultural laborer housing, on the land being valued. The bill would require the board or council, upon petition by the landowner and a showing that these conditions exist, and would prohibit the board or council from charging a cancellation fee.

Position

None at this time

CALAFCO Comments: Provides an alternative method for immediate cancellation of a Williamson Act contract under certain circumstances.

SB 668 (Evans D) Local government: Williamson Act.

Current Text: Amended: 3/25/2011

Status: 3/25/2011-From committee with author's amendments. Read second time and amended. Rereferred to Com. on RLS.

Location: 3/25/2011-S. RLS.

Summary: Would until January 1, 2016, authorize an open-space district, a land-trust organization, or a nonprofit entity to enter into a contract with a landowner who has also entered into a Williamson Act contract, upon approval of the city or county that holds the Williamson Act contract, to keep that landowner's land in contract under the Williamson Act, for a period of up to 10 years in exchange for the open-space district's, land-trust organization's, or nonprofit entity's payment of all or a portion of the foregone property tax revenue to the county, where the state has failed to reimburse the city or county for property tax revenues not received as a result of Williamson Act contracts.

Position

None at this time

CALAFCO Comments: Would allow an open space district, land trust or non profit to contract with a Williamson Act landowner to keep land in Williamson Act in exchange for paying all or a portion of the foregone property tax to the county if the state has failed to provide subventions.

LAFCO ADMINISTRATION LEGISLATION

AB 148 (Smyth R) Local government: ethics training: disclosure.

Current Text: Amended: 3/16/2011

Status: 3/17/2011-Re-referred to Com. on L. GOV.

Calendar: 4/27/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, SMYTH, Chair

Summary: Would additionally define the term ethics laws to include compensation setting guidelines as established by specified organizations or the local agency. This bill contains other related provisions.

Position

None at this time

CALAFCO Comments: Would add compensation setting guidelines to the ethics training requirements for officials.

AB 392 (Alejo D) Ralph M. Brown Act: posting agendas.

Current Text: Introduced: 2/14/2011

Status: 3/29/2011-In committee: Set, first hearing. Hearing canceled at the request of author.

Calendar: 4/27/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, SMYTH, Chair

Summary: Would additionally require the legislative body of the local agency, at least 72 hours before a regular meeting of that body, to post the writings that relate to an agenda item for the open session of that regular meeting. This bill would require the legislative body to post the agenda and the writings on its Internet Web site, if any, as specified. The bill would repeal the procedure for the disclosure of any writings that are distributed less than 72 hours prior to the meeting and would instead prohibit the legislative body from acting on or discussing an item on the agenda for which a related writing was not properly disclosed at least 72 hours prior to the meeting, except as provided. By expanding the duties of local agencies, this bill would impose a state-mandated local program.

Position

None at this time

CALAFCO Comments: Adds additional posting requirements to Brown Act.

SB 31 (Correa D) Local government: lobbyist registration.

Current Text: Amended: 3/23/2011

Status: 3/23/2011-From committee with author's amendments. Read second time and amended. Rereferred to Com. on RLS.

Location: 3/23/2011-S. RLS.

Summary: Would enact a comprehensive scheme to regulate lobbying entities, as defined, that lobby local government agencies, including requirements to register and make periodic reports regarding certain lobbying activities. The bill would require each local government agency to create a commission to implement and enforce the provisions of the bill. By requiring local government agencies to implement a new program, the bill would impose a state-mandated local program.

Position

Watch

CALAFCO Comments: Would require any "local government agency" to establish a commission to regulate lobbyists and lobbying activities of that agency and prepare periodic reports. Would appear to include LAFCo, although "local government agency" is not defined. In some ways similar to the recent laws requiring disclosure to LAFCo of financial contributions regarding a LAFCo decision.

COMPENSATION LEGISLATION

AB 582 (Pan D) Open meetings: local agencies.

Current Text: Introduced: 2/16/2011

Status: 3/7/2011-Referred to Com. on L. GOV.

Calendar: 4/27/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, SMYTH, Chair

Summary: Would require that proposed compensation increases for unrepresented employees be publicly noticed, as prescribed. By adding to the duties of local officials, this bill would impose a state mandated local program. This bill contains other related provisions and other existing laws.

Position

None at this time

CALAFCO Comments: Requires public disclosure of compensation increases for unrepresented employees.

SB 46 (Correa D) Local government: compensation disclosure.

Current Text: Amended: 3/7/2011

Location: 3/7/2011-S. G. & F.

Calendar: 4/6/2011 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary: Would until January 1, 2019, require each public official, defined to mean a public official required to file a statement of economic interest pursuant to the Political Reform Act of 1974, to annually file a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. The bill would specify that compensation disclosure forms are open to public inspection.

Position

None at this time

CALAFCO Comments: Similar to a 2010 bill, this would require all those who file a Form 700 to also file a compensation disclosure report.

SB 27 (Simitian D) Public retirement: final compensation: computation: retirees.

Current Text: Amended: 3/3/2011

Status: 3/22/2011-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0. Page 416.) (March 21). Re-referred to Com. on APPR.

Location: 3/22/2011-S. APPR.

Summary: Would revise the definition of creditable compensation for these purposes and would identify certain payments, reimbursements, and compensation that are creditable compensation to be applied to the Defined Benefit Supplement Program. The bill would prohibit one employee from being considered a class. The bill would revise the definition of compensation with respect to the Defined Benefit Supplemental Program to include remuneration earnable within a 5-year period, which includes the last year in which the member's final compensation is determined, when it is in excess of 125% of that member's compensation earnable in the year prior to that 5-year period, as specified. The bill would prohibit a member who retires on or after January 1, 2013, who elects to receive his or her retirement benefit under the Defined Benefit Supplemental Program as a lump-sum payment from receiving that sum until 180 days have elapsed following the effective date of the member's retirement.

Position

None at this time

OTHER LEGISLATION OF INTEREST

AB 46 (John A. Pérez D) Local government: cities.

Current Text: Amended: 2/28/2011

Status: 3/1/2011-Re-referred to Com. on L. GOV.

Location: 3/1/2011-A. L. GOV.

Summary: Would provide that every city with a population of less than 150 people as of January 1, 2010, would be disincorporated into those cities' respective counties as of 90 days after the effective date of the bill, unless a county board of supervisors determines, by majority vote within that 90-day period, that continuing such a city within that county's boundaries would serve a public purpose because the location of the city, in a rural or isolated location, makes it impractical for the residents of the community to organize in another forum of local governance.

Position

None at this time

CALAFCO Comments: As written applies only to Vernon. It bypasses much of the C-K-H disincorporation process, leaving LAFCo only the responsibility of assigning assets and liabilities following disincorporation.

AB 83 (Jeffries R) Environment: CEQA exemption: recycled water pipeline.

Current Text: Introduced: 1/5/2011

Status: 3/21/2011-In committee: Set, first hearing. Hearing canceled at the request of author.

Calendar: 4/4/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, CHESBRO, Chair

Summary: Would additionally exempt a project for the installation of a new pipeline, not exceeding a specified length, for the distribution of recycled water within an improved public street, highway, or right-of-way. Because a lead agency, which may include a local agency, is required to determine whether a project qualifies for those exemptions, this bill would impose a state-mandated local program.

Position

None at this time

CALAFCO Comments: Exempts recycled water pipelines from CEQA in certain circumstances.

AB 307 (Nestande R) Joint powers agreements: public agency: federally recognized Indian tribe.

Current Text: Amended: 3/29/2011

Status: 2/24/2011-Referred to Com. on L. GOV.

Calendar: 4/6/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, SMYTH, Chair

Summary: Would include a federally recognized Indian tribe as a public agency that may enter into a joint powers agreement. This bill would also make conforming changes by repealing now redundant code sections. This bill contains other related provisions.

Position

None at this time

CALAFCO Comments: Would allow any federally recognized Indian tribe to act as a public agency to participate in any Joint Powers Authority. Significantly expands current law on Indian tribe participation.

AB 555 (Norby R) Local agency formation.

Current Text: Introduced: 2/16/2011

Status: 2/17/2011-From printer. May be heard in committee March 19.

Location: 2/16/2011-A. PRINT

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation, change of organization, and reorganization of cities and special districts. This bill would make technical, nonsubstantive changes to the act.

Position

None at this time

CALAFCO Comments: Placeholder bill, currently targeted to C-K-H.

AB 779 (Fletcher R) Municipal water districts: oversight.

Current Text: Amended: 3/30/2011

Status: 3/30/2011-From committee chair, with author's amendments: Amend, and re-refer to Com. on W., P. & W. Read second time and amended.

Summary: Would authorize a municipal water district to establish an independent oversight committee to assist in tracking and reviewing revenues of the district to advance capital improvements, operations and maintenance of district facilities, and allocation methodologies. The bill would authorize an independent oversight committee to perform specified functions for those purposes.

Position

None at this time

CALAFCO Comments: Allows a municipal water districts to establish an oversight committee on the financial operations of the district.

AB 1198 (Norby R) Land use: housing element: regional housing need assessment.

Current Text: Introduced: 2/18/2011

Status: 3/21/2011-Referred to Coms. on H. & C.D. and L. GOV.

Calendar: 4/27/2011 9 a.m. - State Capitol, Room 126 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, TORRES, Chair

Summary: Would repeal the requirement that the department determine the existing and projected need for housing for each region, as specified, and other specified provisions relating to the assessment or allocation of regional housing need.

Position

None at this time

CALAFCO Comments: Would repeal the entire RHNA process and Housing and Community Development authority over housing.

ACA 17 (Logue R) State-mandated local programs.

Current Text: Introduced: 2/15/2011

Status: 2/16/2011-From printer. May be heard in committee March 18.

Location: 2/15/2011-A. PRINT

Position

None at this time

CALAFCO Comments: Changes state mandate law in a proposed constitutional amendment. Included is specific language that releases mandate responsibility if the local agency can change an individual or

applicant for the cost of providing the mandated service. Would likely exempt some mandates to LAFCo from state mandate funding.

SB 160 (Huff R) Local government: reorganization.

Current Text: Introduced: 2/2/2011

Status: 2/10/2011-Referred to Com. on RLS.

Location: 2/10/2011-S. RLS.

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. This bill would make a technical, nonsubstantive change to that act.

Position

None at this time

CALAFCO Comments: Appears to be a placeholder bill. Typically the senior republican on the Senate Finance & Committee introduces this bill as a placeholder. Usually used for some other purpose than LAFCo.

SB 191 (Committee on Governance and Finance) Validations.

SB 192 (Committee on Governance and Finance) Validations.

SB 193 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/8/2011

Status: Passed Senate. 3/24/2011-In Assembly. Read first time. Held at Desk.

Location: 3/24/2011-A. DESK

Summary: These three bills would enact the First, Second and Third Validating Acts of 2011, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Position

Support

CALAFCO Comments: These three annual acts validate the boundaries of all local agencies.

SB 194 (Committee on Governance and Finance) Local government: omnibus bill.

Current Text: Introduced: 2/8/2011

Calendar: 4/27/2011 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary: Would increase the maximum amount from \$1,000 to \$5,000. This bill contains other related provisions and other existing laws.

Position

None at this time

CALAFCO Comments: This is the Senate local government Omnibus Bill. At this point CALAFCO does not have any items in the bill nor has any objections to any of the items currently in the bill.

SB 235 (Negrete McLeod D) Water conservation districts: reduction in number of directors.

Current Text: Amended: 3/14/2011

Status: Passed Senate. 3/29/2011-In Assembly. Read first time. Held at Desk.

Summary: Would authorize a water conservation district, except districts within the County of Ventura, whose board of directors consists of 7 directors, to reduce the number of directors to 5, consistent with specified requirements.

Position

None at this time

CALAFCO Comments: Allows specified water districts to reorganize their board of directors to reduce the number of directors, by action of the Board.

SB 288 (Negrete McLeod D) Local government: independent special districts.

Current Text: Amended: 3/29/2011

Status: 3/1/2011-Set for hearing April 6.

Calendar: 4/6/2011 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair

Summary: Would additionally authorize the governing board of an independent special district, as defined, to provide, by resolution, for the establishment of a revolving fund in an amount not to exceed 110% of 1/12 of the independent special district's adopted budget for that fiscal year, and would require the resolution establishing the fund to make specified designations relating to the purposes for which the fund may be expended, the district officer with authority and responsibility over the fund, the necessity for the fund, and the maximum amount of the fund. This bill contains other related provisions and other existing laws.

Position

None at this time

CALAFCO Comments: Allows special districts as defined by C-K-H to set up special revolving funds.